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7 Attorney for MISTY DAWN HOMNACK

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 MISTY DAWN HOMNACK,
14 Defendant.

Case No. 2:11-cr-223-JAD-CWH-3
**STIPULATION TO CONTINUE
REVOCATION HEARING**
(Third Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
17 Acting United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
19 and Daniel C. Coe, Assistant Federal Public Defender, counsel for Misty Dawn Homnack that
20 the Revocation Hearing currently scheduled on Friday, December 1, 2017 at 10:00 a.m., be
21 vacated and continued to a date and time convenient to the Court, but no earlier than fourteen
22 (14) days.

23 This Stipulation is entered into for the following reasons:

24 1. Since the filing of the previous stipulation, defense counsel has remained
25 diligent in case preparation and the defendant has remained compliant with her conditions of
26 supervision.

2. The probation officer will be out of the jurisdiction for the week following the currently scheduled hearing.

3. Defendant has a state court hearing scheduled for the same date, and specifically requests a brief continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

This is the third request for continuance filed herein.

DATED this 29th day of November, 2017.

RENE L. VALLADARES
Federal Public Defender

**STEVEN W. MYHRE,
Acting United States Attorney**

/s/ *Daniel C. Coe*
By _____

/s/ Kimberly M. Frayn
By _____

DANIEL C. COE
Assistant Federal Public Defender

KIMBERLY M. FRAYN
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

MISTY DAWN HOMNACK,

Defendant.

Case No. 2:11-cr-223-JAD-CWH-3

ORDER

Based on the Stipulation of counsel, the interests of justice and good cause appearing;

IT IS THEREFORE ORDERED that the Revocation Hearing currently scheduled on

Friday, December 1, 2017 at 10:00 a.m., be vacated and continued to December 19, 2017 at the hour of 9:30 a.m.

DATED this 29th day of November, 2017.

UNITED STATES DISTRICT JUDGE